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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARY CASSANO,

Plaintiff,

v.

M. JOHNSON and W. ROGERS,

Defendants.

No. C 12-05144 WHA

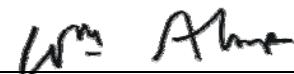
**ORDER RE COUNSEL
SUBSTITUTE AND
DEPOSITION REQUEST**

In a letter dated April 10, 2014 (Dkt. No. 50), “counsel substitute” Laurince O’Sheigh Simpson submits several requests on behalf of plaintiff Gary Cassano. These requests are: (1) judicial notice of the facts and circumstances outlined in the papers appended to the letter; (2) an order that Mr. Simpson be included as “counsel substitute” to receive all future mailings in this action; and (3) confirmation from the undersigned judge that he has received plaintiff’s notice and request to depose CTF employee Garcia.

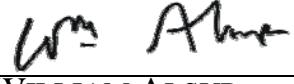
Under Federal Rule of Evidence 201(b), the request for judicial notice is **DECLINED**. As to the second request, plaintiff is now represented by attorneys Herbert Layton and James Martinez. The request to include Mr. Simpson as “counsel substitute” is thus **DECLINED**. This is without prejudice to a proper motion by plaintiff’s attorneys to appoint “counsel substitute” for plaintiff. Finally, with respect to the request for confirmation, an order has already granted plaintiff’s motion to depose Garcia (Dkt. No. 47). That order is appended hereto.

IT IS SO ORDERED.

Dated: April 16, 2014.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 GARY CASSANO, No. C 12-5144 WHA (PR)
11 Plaintiff,
12 v.
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14 M. JOHNSON; MR. ROGERS; C.O. (Dkt. 21)
15 HILL; SERGEANT BOHANNON;;
16 Defendants.
17 _____/
18 Good cause appearing, plaintiff's motion for leave to take a deposition (dkt. 21) is
19 GRANTED, provided it is properly noticed and complies with the Federal Rules of Civil
20 Procedure. The parties have already been granted leave to conduct discovery (dkt. 7).
21 IT IS SO ORDERED.
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23 Dated: March 21, 2014. 
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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE